

**SUPREME COURT MINUTES
WEDNESDAY, MARCH 28, 2001
SAN FRANCISCO, CALIFORNIA**

S094467 Jill Shively, Plaintiff and Appellant
2nd Dist. v.
B130905 Peter Bozanich et al., Defendants and Respondents
B033983 Petition for review GRANTED.
Div. 3

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S094597 The People, Plaintiff and Respondent
5th Dist. v.
F028940 Phia Lee et al., Defendants and Appellants
 Petitions for review GRANTED.

The issue to be briefed and argue before this court shall be limited to whether the Court of Appeal correctly found the aider and abettor must share the perpetrator's premeditation and, if so, by what standard the error should be measured.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.

S094627 The People, Plaintiff and Respondent
4th Dist. v.
D034189 Joseph Albert Roberge, Defendant and Appellant
Div. 1 Petition for review GRANTED.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.

S094710 The People, Plaintiff and Respondent
1st Dist. v.
A087698 Robert Neal Anderson, Defendant and Appellant
Div. 2 Petition for review GRANTED.

The briefing and argument shall be limited to the issue of to what extent, if any, is duress a defense to a homicide-related crime, and if it is whether the trial court prejudicially erred in refusing a duress instruction in this case.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S090271 Edward M. Teyssier, Plaintiff and Appellant

4th Dist. v.

D033171 City of San Diego, Defendant and Respondent

D033622 And Companion Case

Div. 1 Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Fourth Appellate District, Division One.

George, C.J.

Mosk, J.

Kennard, J.

Chin, J.

S075310 In re Adrian Ben Cervera

on

Habeas Corpus

Petition for rehearing DENIED.

S079499 In re Stuart K. Lesansky on Discipline

By the Court:

Modification of Opinion

The opinion herein, filed on March 1, 2001, appearing at 25 Cal.4th 11, is modified as follows:

The final sentence of the first full paragraph on page 1 of the slip opinion in this case [25 Cal.4th 13, 1st par., lines 5-8] is modified to replace the words “demonstrates his unfitness for the legal profession, and thus involves moral turpitude, we conclude that summary disbarment is authorized and warranted” with the words “involves moral turpitude, and thus demonstrates his unfitness for the legal profession, we conclude that summary disbarment is authorized and warranted.” As modified, the sentence will read as follows: “Because the practice of law requires good moral character, and because petitioner’s felony conviction involves moral turpitude, and thus demonstrates his unfitness for the legal profession, we conclude that summary disbarment is authorized and warranted.”

This modification does not affect the judgment.

S080112 Ventura Group Ventures Inc., Appellant
 v.
 Ventura Board of Supervisors et al., Appellants
 Petition for rehearing DENIED.

S092494 In re Ronald Anthony Jones
 on
 Habeas Corpus

The petition for writ of habeas corpus is denied. All claims are denied on the merits.

Except where framed as allegations of ineffective assistance of counsel (*People v. Mendoza Tello* (1997) 15 Cal.4th 264, 267) or as challenges to the validity of the statutes under which petitioner was convicted or sentenced (see *Clark, supra*, 5 Cal.4th at p. 765, fn. 4; see also *id.* at p. 798), and insofar as based exclusively on the appellate record, the following claims or subclaims are denied because they were raised and rejected on appeal (*In re Waltreus* (1965) 62 Cal.2d 218, 225): I(3, 4, 8, 10), IV(1, 4, 6), V(2, 3, 4, 5, 7, 8, 9), VI(2), VII(1), VIII(1, 6, 7, 12), XI(2, 4), XII(1, 2, 3), XIII(1, 2, 3, 4, 5, 6, 7), XIV(1, 2), XVI, and XX(2, 3).

Except where framed as allegations of ineffective assistance of counsel (*Mendoza Tello, supra*, at p. 267) or as challenges to the validity of the statutes under which petitioner was convicted or sentenced (see *Clark, supra*, 5 Cal.4th at p. 765, fn. 4; see also *id.* at p. 798), and insofar as based exclusively on the appellate record, the following claims or subclaims are denied because they could have been, but were not, raised on appeal (*In re Dixon* (1953) 41 Cal.2d 756): I(4, 5, 6, 9), II, IV(2, 5, 7), VII(2), VIII(2, 3, 4, 5, 8 [to the extent it claims misconduct in presenting improper rebuttal evidence], 10), XI(1, 2, 3), XIII(4), XIV(3, 4), XVI, and XX(1, 2, 3).

The following claims or subclaims are also denied as repetitive, because they were raised in the prior habeas corpus petition (*In re Miller* (1941) 17 Cal.2d 734, 735): I(3, 4), IV(1, 6), V(3), VIII(6), XII(2), and, to the extent this ground applies, XVI.

The following claims or subclaims are also denied as successive, because they could have been raised in the prior habeas corpus petition but were not (*Clark, supra*, 5 Cal.4th at pp. 767–768): I(2), IV(3), IX (except for subclaims (3) and (6)), XV (except for

subclaims (2) and (6)), XVI (to the extent this ground applies), and XX(4).

Subclaim VI(2) is also barred because a claim of insufficiency of the evidence is not cognizable on habeas corpus. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)

Subclaim XX(5) is also denied as premature.

All claims or subclaims of cumulative error are also denied on every ground ordered for each component of the claims or subclaims composing the claims or subclaims of cumulative error.

To the extent that any claim or subclaim (particularly those presented in claims X and XVI) repeats others brought in the same petition, it is denied on every ground on which they are denied.

All claims and subclaims, except for those that (1) challenge the validity of the statutes under which petitioner was convicted or sentenced (see *Clark, supra*, 5 Cal.4th at p. 798), (2) contain allegations of a conflict of interest in the Office of the Public Defender of Los Angeles County, or (3) consist of subclaim XX(5), are also denied as untimely.

Justices Mosk and Brown would deny the petition solely on the merits.

S096066 League of California Cities and County of Santa Cruz, Petitioners
v.

Operating Engineers Local Union No. 3, Respondent
Application for stay denied.

The "Petition for Writ of Mandate" is denied. The action is not properly an application for mandamus because it does not seek to compel the performance of an act the law specifically enjoins. (Code Civ. Proc., § 1085.) Hence, the action is not within the original jurisdiction of this court, as set forth in article VI, section 10 of the California Constitution. The action appears in the nature of a suit for declaratory relief within the exclusive original jurisdiction of the superior court. (Code Civ. Proc., § 1060.) Denial of the "Petition for Writ of Mandate" is without prejudice to petitioners seeking such declaratory relief in the superior court.

Kennard, J., is of the opinion the petition should be granted.

Orders were filed in the following matters denying petition for writ of habeas corpus:

- S082167 - In re Joshua Richter on Habeas Corpus.
- S086991 - In re Christian Branscombe on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S089877 - In re Thomas Michael Colt on Habeas Corpus.
- S090329 - In re Ernest Franklin on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S090705 - In re Reginald Laudermill on Habeas Corpus.
- S090858 - In re Gregory Downs on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Brown, J., did not participate.
- S091333 - In re Johnathan F. Taylor on Habeas Corpus.
- S091523 - In re Dan Lee on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)
- S091710 - In re Bao Quoc Huynh on Habeas Corpus.
- S091840 - In re Frank Felix on Habeas Corpus.
- S091869 - In re Ralph Trujillo on Habeas Corpus.
- S091872 - In re Heraclio S. Rodriguez on Habeas Corpus.
- S091899 - In re James Daniels on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S091912 - In re Kenneth W. Foley on Habeas Corpus.
- S091955 - In re Jerome E. Mallett on Habeas Corpus.

- S091956 - In re Raymond G. Arias on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092054 - In re Rocco Passarelli, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092094 - In re Falvey Ingram on Habeas Corpus.
- S092163 - In re Margaret Tanner on Habeas Corpus.
- S092184 - In re Clarence Bernard Gridiron on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S092225 - In re Juan Manuel Sanchez on Habeas Corpus.
- S092250 - In re Tommy Rey on Habeas Corpus.
- S092301 - In re Henry A. Lowe on Habeas Corpus.
- S092313 - In re Sy Lee Castle on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756.)
- S092331 - In re Adam Espinosa on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S092333 - In re Juan Carlos Giraldo on Habeas Corpus.
- S092348 - In re Hector Juarez on Habeas Corpus.
- S092390 - In re Roger Stokely on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092396 - In re Manuel Q. Hernandez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300,

304; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)

- S092401 - In re Norman Paul Felts on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S092443 - In re Ray Swift on Habeas Corpus.
- S092446 - In re Thomas Peter Booth on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092454 - In re Robert Garcia on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092461 - In re Michael Torres on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092476 - In re Deanna Rae Henderson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092489 - In re Walter Taylor on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092517 - In re Armando Lopez Reyes on Habeas Corpus.
- S092525 - In re Forest Williams on Habeas Corpus.
- S092538 - In re Leo Esqueda on Habeas Corpus.
- S092542 - In re Ahmad J. Anderson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092598 - In re Karenga Towns on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S092604 - In re Santos L. Reyes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092622 - In re Jemal David Lewis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S092627 - In re William M. Toward on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092639 - In re James Edward Bowell on Habeas Corpus.
- S092680 - In re Kenneth G. Keel on Habeas Corpus.
- S092696 - In re Michael Anthony Fields on Habeas Corpus.
- S092705 - In re Douglas Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092708 - In re Ricky Lee Bland on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092715 - In re John Hoze on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921.)
- S092716 - In re Juan Greer on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921.)
- S092726 - In re Amos Stevenson on Habeas Corpus.
- S092731 - In re Robert Martin on Habeas Corpus.
- S092741 - In re Kevin George Anton on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S092745 - In re Vu A. Pham on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)

- S092748 - In re Willis Ray Brown on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092758 - In re Marcus Daniel Chavarria on Habeas Corpus.
- S092774 - In re William Lamont Monroe on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750.)
- S092780 - In re Charles L. Thomas on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921.)
- S092786 - In re Andre Dion Doyle on Habeas Corpus.
- S092797 - In re Mario Villa on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092806 - In re Lewis G. Divens on Habeas Corpus.
- S092811 - In re Sean Anthony Thames on Habeas Corpus.
- S092812 - In re Bernard Rhodes on Habeas Corpus.
- S092824 - In re Robert Lesean Mosley on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709.)
- S092826 - In re Audry Dwight Wise on Habeas Corpus.
- S092827 - In re Arthur Raymond Chavez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)
- S092829 - In re Dan Kevin King on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092832 - In re Juan F. Limon on Habeas Corpus.

- S092835 - In re Vernon Charles Harris on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092837 - In re Tyrell Deramus on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092847 - In re William Gene Wade on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S092859 - In re William Astor Thomas on Habeas Corpus.
- S092860 - In re Randolph P. Echavarria on Habeas Corpus.
- S092865 - In re Gregory L. Rand on Habeas Corpus.
- S092868 - In re Rhasan Mackey on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)
- S092870 - In re Antonio Jaggars on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092873 - In re Elmer Eugene Walker on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092876 - In re Leonard M. Marella on Habeas Corpus.
- S092881 - In re Gerald P. Mathis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092889 - In re Jeremy Maldonado on Habeas Corpus.
- S092900 - In re Jerry Reed on Habeas Corpus.
- S092903 - In re Dean Allen Martinez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Rojas* (1979) 23 Cal.3d 152.)

- S092905 - In re Thomas Waterbury on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S092909 - In re Eddie L. Habbary on Habeas Corpus.
- S092911 - In re Louie Mendez Hammonds on Habeas Corpus.
- S092912 - In re Carlos Renteria on Habeas Corpus.
- S092914 - In re Thomas B. Leach on Habeas Corpus.
- S092915 - In re Donald Paris on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Dexter* (1979) 25 Cal.3d 921; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S092916 - In re James Pace on Habeas Corpus.
- S092927 - In re Tyrone Nelson on Habeas Corpus.
- S092929 - In re Ruben Martinez on Habeas Corpus.
- S092945 - In re Julio Maya on Habeas Corpus.
- S092946 - In re Alfred Chaparro on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *People v. Gonzalez* (1990) 51 Cal.3d 1179, 1256-1261.)
- S092952 - In re Johnny Ray Favors on Habeas Corpus.
- S092963 - In re Lionell Tholmer on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S092969 - In re Giovanni Erasmo Stewart on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S092970 - In re Curtis Lee Johnson on Habeas Corpus.
- S092971 - In re Jony L. Duckworth on Habeas Corpus.

- S092972 - In re Daryl Lyons on Habeas Corpus.
- S092974 - In re Norman Hubbs on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756.)
- S092980 - In re Leo John Sisco on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)
- S092984 - In re James Mandeville on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921.)
- S092988 - In re Ricardo Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S092996 - In re Thomas Sims on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921.)
- S092999 - In re John Alex Harrison on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S093003 - In re Troyal Lee Sims on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S093005 - In re Romesh Chander Kanda on Habeas Corpus.\
- S093008 - In re John J. Garcia on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218.)
- S093014 - In re Rudy Harris on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S093015 - In re Glen Mason on Habeas Corpus.
- S093019 - In re Manuel H. Cota on Habeas Corpus.

- S093024 - In re Andre Island on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S093026 - In re Karl James Foster on Habeas Corpus.
- S093034 - In re Bernice Cubie on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S093041 - In re Arbilio Durado on Habeas Corpus.
- S093043 - In re Manuel Ochoa on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)
- S093046 - In re Roberto Rafael Sandoval on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *Breard v. Green* (1998) 523 U.S. 371, 377; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)
- S093047 - In re Patrocenio Aurelio on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S093049 - In re Rodney D. Edinbyrd on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)
- S093058 - In re Jason Wickware on Habeas Corpus.
- S093059 - In re Randolph Hernandez on Habeas Corpus.
- S093067 - In re Michael Baker on Habeas Corpus.
- S093073 - In re Larry L. Bunch on Habeas Corpus.
- S093074 - In re Akanni Kendalla on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)

- S093075 - In re Jorge A. Lopez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093077 - In re Michael A. Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S093078 - In re Harry James Guidry on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S093081 - In re Edward S. Aguirre on Habeas Corpus.
- S093085 - In re Gary Eugene Kukes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)
- S093094 - In re Steven Burrone on Habeas Corpus.
- S093096 - In re Danny Lamont Hamilton on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093102 - In re Kenneth J. Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Miller* (1941) 17 Cal.2d 734.)
- S093107 - In re Reuben Flowers, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S093108 - In re Arturo Murillo Pineda on Habeas Corpus.
- S093111 - In re Robert Makimoto on Habeas Corpus.
- S093118 - In re Nathaniel Adams on Habeas Corpus.
- S093119 - In re Delfino Machado on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.

- S093121 - In re Andre Lamarr Jackson on Habeas Corpus.
- S093125 - In re Charles R. Fletcher on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921.)
- S093152 - In re Markee D. Carter on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S093154 - In re Jeffery Hersey on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Miller* (1941) 17 Cal.2d 734; *In re Yurko* (1974) 10 Cal.3d 857; 866-867; *People v. Pompa-Ortiz* (1980) 27 Cal.3d 519, 529.)
- S093155 - In re Romesh Kanda on Habeas Corpus.
- S093156 - In re Santiago Vanega on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)
- S093157 - In re Wesley Olson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S093162 - In re Sokha Hinn on Habeas Corpus.
- S093163 - In re Jimmy Gonzales on Habeas Corpus.
- S093165 - In re Michael L. Alford on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S093166 - In re Kenneth William Hughes on Habeas Corpus.
- S093174 - In re Carl Stich on Habeas Corpus.

- S093181 - In re Corey C. Gray on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)
- S093192 - In re Kelvin Jose Hardin on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756.)
- S093202 - In re Steven H. Young on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093217 - In re Larry McClain on Habeas Corpus.
- S093218 - In re Thomas Ryan Sumbot on Habeas Corpus.
- S093219 - In re Gregory Gadlin on Habeas Corpus.
- S093244 - In re Richard James Walton on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750.)
- S093249 - In re Michael E. Young on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093250 - In re Andre Doss on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756.)
- S093251 - In re Gary LaBranch on Habeas Corpus.
- S093253 - In re Edward Jovell Peppers on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093260 - In re Brian Snoke on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921; *In re Swain* (1949) 34 Cal.2d 300, 304.)

- S093263 - In re Ricky Wyatt on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093264 - In re Jose Luis Lara on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S093267 - In re Miguel Garza Trevino on Habeas Corpus.
- S093269 - In re Gregory D. White on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)
- S093276 - In re Tom William Andrews on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734.)
- S093278 - In re Michael T. Rothwell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921.)
- S093284 - In re Rodger Phillip Robbins on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093294 - In re Marion Franklyn Miller on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S093295 - In re Godoy Anthony Hale on Habeas Corpus.
- S093296 - In re Alfonso S. Green on Habeas Corpus.
- S093298 - In re Kevin A. Kroeger on Habeas Corpus.
- S093306 - In re Martin B. Perrell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093311 - In re Harry Willett on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)
- S093324 - In re Steven Williams on Habeas Corpus.

- S093326 - In re Darren Lee Washington on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)
- S093340 - In re Susan D. Reeves on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S093344 - In re Dorman Talbot on Habeas Corpus. Petition for writ of habeas corpus is DENIED for lack of diligence. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S093345 - In re Jerry Lee Law on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093356 - In re Michael D. Glosson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921.)
- S093364 - In re Glenn McCrary on Habeas Corpus.
- S093365 - In re Thomas E. Moore on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093395 - In re Kenneth Price on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756.)
- S093409 - In re James Edward Powell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093419 - In re Von Laderas McPherson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S093421 - In re Darrel L. Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709; *In re Miller* (1941) 17 Cal.2d 734.)

- S093427 - In re John L. Grissom, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S093424 - In re Joseph Earl Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921.)
- S093429 - In re Darrell Dewbre on Habeas Corpus.
- S093459 - In re Channel H. Banks on Habeas Corpus.
- S093487 - In re Johnny Tarver on Habeas Corpus.
- S093492 - In re Johnny Bell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093525 - In re Albert M. Franco on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S093546 - In re Thomas Rayvon Prince on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093548 - In re Thaddeus Sistrunk on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S093549 - In re Gregory Valentine on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S093552 - In re Floyd Earl on Habeas Corpus.
- S093589 - In re Gary Brown on Habeas Corpus.
- S093603 - In re Byron Daniel Primas on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)

- S093611 - In re Renwick Gibbs on Habeas Corpus.
- S093620 - In re Addison Beecham III on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S093631 - In re Evan Rudy on Habeas Corpus.
- S093632 - In re Richard L. Sanchez on Habeas Corpus.
- S093635 - In re Brian E. Frazier on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S093637 - In re John R. Contreras on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S093649 - In re Ruben Cervantes Duran on Habeas Corpus.
- S093650 - In re Leonard Bueno Bacolot on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S093654 - In re Johnny Don Hill on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756.)
- S093655 - In re Gabriel Mario Candia on Habeas Corpus.
- S093663 - In re Wayne Lavert Chatman on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Mosk, J., is of the opinion an order to show cause should issue.
- S093664 - In re Esteban Adolfo Ramirez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S093665 - In re Marcus Ruben Ellington on Habeas Corpus.
- S093673 - In re Raul Antonio Vargas on Habeas Corpus.
- S093691 - In re Christopher Burch on Habeas Corpus.

- S093692 - In re Guy Ralph Perea on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093713 - In re Deandre Mur on Habeas Corpus.
- S093724 - In re James Allen Hunter on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S093727 - In re Donald Morrison on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S093728 - In re Gary Dewitt Marshall on Habeas Corpus.
- S093744 - In re David D. Nevarez on Habeas Corpus.
- S093747 - In re Torance Tyrone Holmes on Habeas Corpus.
- S093748 - In re Harry Laurance Crist on Habeas Corpus.
- S093751 - In re Dan Lee on Habeas Corpus.
- S093772 - In re Michael E. Allen on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S093781 - In re Jabriel Muhammad on Habeas Corpus.
- S093784 - In re Jose F. Hernandez on Habeas Corpus.
- S093787 - In re Hector Freddy Iraheta on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093788 - In re Leticia Cervantes on Habeas Corpus.
- S093791 - In re Salvador Acosta on Habeas Corpus.

- S093800 - In re Gene Moran on Habeas Corpus.
- S093801 - In re Albert D.Travasso on Habeas Corpus.
- S093921 - In re Michael Allen Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S093930 - In re Anji Lynn Baker on Habeas Corpus.
- S093936 - In re John H. Smith on Habeas Corpus.
- S093939 - In re Nathan J. Ellis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)
- S093942 - In re Jamon L. Dixie on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S093949 - In re Miguel Reyes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709.)
- S093943 - In re Darren D. Chaker on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)
- S093945 - In re Darren D. Chaker on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)
- S093964 - In re William James Anderson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- Mosk, J., is of the opinion an order to show cause should issue.

- S093977 - In re Freddie Alonzo Whiting on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S093978 - In re Michael Credde (aka Cordell Gaddy) on Habeas Corpus.
- S094020 - In re Keith Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)
- S094023 - In re Dennis Daniel Lepore on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *People v. Veasey* (1979) 98 Cal.3d 779, 788-792.)
- S094073 - In re Eber Gene Ruth on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)
- S094160 - In re Oscar Tarango on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S094135 - In re Andrew R. Lopez on Habeas Corpus.
- S094175 - In re Chancey Hill on Habeas Corpus.
- S094294 - In re Jaroslav Frank Drasar on Habeas Corpus.
- S094368 - In re Jeffery Hersey on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Miller* (1941) 17 Cal.2d 734; *In re Yurko* (1974) 10 Cal.3d 857, 866-867; *People v. Pompa-Ortiz* (1980) 27 Cal.3d 519, 529.)
- S094486 - In re Alfonso Villegas on Habeas Corpus.
Motion to appear as counsel pro hac vice is denied.
Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S095214 - In re Johnny Ray Favors on Habeas Corpus.

S095319 - In re Jabriel Muhammad on Habeas Corpus.

S095507 - In re Carol Mardeusz on Habeas Corpus.

S096057 In re Charles Anthony Krah
on
Habeas Corpus
Application for stay and petition for writ of habeas corpus
DENIED.

1st Dist. Spanish Speaking Citizens' Foundation Inc. et al., Respondents
A084024 v.
A085376 Harry Low, as Insurance Commissioner, etc., Appellant
A085713 State Farm Mutual Automobile Insurance Company et al.,
Div. 4 Interveners and Appellants
S095061 And Companion Case
Petitions for review DENIED.
George, C.J., Mosk, J., and Kennard, J., are of the opinion review
should be granted.

1st Dist. People, Respondent
A085058 v.
A089888 John A. Crosthwaite, Appellant
Div. 2 -----
S094593 In re John A. Crosthwaite on Habeas Corpus
Petition for review DENIED.

1st Dist. People, Respondent
A087481 v.
Div. 3 Steven L. Burkhart, Appellant
S094662 Petition for review DENIED.

1st Dist. John P. Conley, Appellant
A087880 v.
Div. 4 Roman Catholic Archbishop of San Francisco et al., Respondents
S095039 Petition for review DENIED.
Kennard, J., and Chin, J., are of the opinion the petition should
be granted.

1st Dist. A088158 Div. 5 S095329	People, Respondent v. Antonio Lashawn Johnson, Appellant Petition for review DENIED.
1st Dist. A088854 Div. 1 S095323	People, Respondent v. Jemecas Ketí Farr, Appellant Petition for review DENIED.
1st Dist. A089538 Div. 5 S095257	People, acting by ad through Department of Transportation, Plaintiff and Respondent v. Nano Maldonado, Appellant Petition for review DENIED. The request for an order directing partial depublication of the opinion is DENIED.
1st Dist. A089578 Div. 4 S095360	People, Respondent v. Timothy Jon Trolinder, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
1st Dist. A091494 Div. 5 S095160	Kenneth Brooks, Appellant v. Daniel J. Healy, Respondent Petition for review DENIED.
1st Dist. A093730 Div. 2 S095234	Industrial Underwriters Insurance Commission, Petitioner v. Contra Costa County Superior Court, Respondent Albert D. Seeno Construction Company, Real Party in Interest Petition for review DENIED.
1st Dist. A093780 Div. 2 S095260	In re Michael Reed Dorrough on Habeas Corpus Petition for review DENIED on the merits.

2nd Dist. B120572 Div. 3 S094753	People, Respondent v. Francisco Chavez Ayon, Appellant Petition for review DENIED.
2nd Dist. B122771 Div. 3 S094651	People, Respondent v. Paul James Todd, Appellant Petitions for review DENIED.
2nd Dist. B131646 Div. 7 S095031	People, Respondent v. Demond Lanier Graves, Appellant Petition for review DENIED.
2nd Dist. B132350 Div. 4 S095394	Steven Kalski, Appellant v. California Association of Professional Employees, Respondent Petition for review DENIED.
2nd Dist. B132902 Div. 7 S095417	People, Respondent v. Manuel Martinez, Appellant Petition for review DENIED.
2nd Dist. B133994 Div. 7 S095525	People, Respondent v. Jimmy Lee Vernon, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B134457 Div. 4 S095302	People, Respondent v. Phillip Norris Thompson, Appellant Petition for review DENIED.
2nd Dist. B134662 Div. 4 S095423	People, Respondent v. Johnny Ricardo Guisa, Appellant Petition for review DENIED.

2nd Dist. B135531 Div. 7 S095047	People, Respondent v. Raul Bravo, Appellant ----- People, Respondent v. Vincent M. Martinez, Appellant Petitions for review DENIED.
2nd Dist. B135536 Div. 4 S094869`	Real Estate Commissioner of California, Respondent v. Harlan Helvey et al., Appellants Petition for review DENIED.
2nd Dist. B136720 Div. 5 S095389	People, Respondent v. Erick Eddie Rodriguez, Appellant Petition for review DENIED.
2nd Dist. B136942 Div. 3 S095442	People, Respondent v. John K. McIntyre, Appellant Petition for review DENIED.
2nd Dist. B137281 Div. 7 S095173	Anita Pattillo, Appellant v. Henry Faxon et al., Respondents Petition for review DENIED.
2nd Dist. B137444 Div. 3 S095439	People, Respondent v. Kenneth John Washington, Appellant Petition for review DENIED.
2nd Dist. B137931 Div. 5 S095021	People, Respondent v. Juan Garcia, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B137970 v.
Div. 5 George Meshefedjian, Appellant
S095453 Petition for review DENIED.

2nd Dist. People, Respondent
B137973 v.
Div. 2 Vaughn Linson, Appellant
S095326 Petition for review DENIED.

2nd Dist. People, Respondent
B138223 v.
Div. 7 Ernest L. Lewis, Appellant
S095678 Petition for review DENIED.

2nd Dist. People, Respondent
B138372 v.
Div. 4 Pedro A. Moterrosa, Appellant
S095429 Petition for review DENIED.

2nd Dist. People, Respondent
B139059 v.
Div. 6 Anthony Gray, Appellant
S095361 Petition for review DENIED.

2nd Dist. People, Respondent
B139219 v.
Div. 1 Randall Wayne Grimes, Appellant
S094684 Petition for review DENIED.

2nd Dist. People, Respondent
B139409 v.
Div. 4 Martin Ramirez, Appellant
S095267 Petition for review DENIED.

2nd Dist. People, Respondent
B139651 v.
Div. 3 Pedro Martinez Ortiz, Appellant
S095324 Petitions for review DENIED.

2nd Dist. B140296 Div. 1 S095469	People, Respondent v. Lawrence Brignac, Appellant Petition for review DENIED.
2nd Dist. B140308 Div. 7 S095316	People, Respondent v. Jose Luis Madrigal, aka Manuel H. Serrano, Appellant Petition for review DENIED.
2nd Dist. B140472 Div. 7 S095489	People, Respondent v. Franklin Smith, Appellant Petition for review DENIED.
2nd Dist. B140811 Div. 2 S094288	People, Respondent v. Ricardo Arellano, Appellant Petition for review DENIED.
2nd Dist. B141113 Div. 2 S094817	In re Dallas W., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Dallas W., Appellant Petition for review DENIED.
2nd Dist. B141762 Div. 7 S095333	Jose L. Alfaro, Petitioner v. Workers' Compensation Appeals Board, Carlos Mier, an individual, dba Mier's Ice Cream, et al., Respondents Petition for review DENIED.
2nd Dist. B141831 Div. 2 S094844	Gary Morgan, Alberto Preciado and Ronnie Jones, Appellants v. Board of Pension Commissioners of the City of Los Angeles, Respondent City of Los Angeles, Real Party in Interest Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B141873 v.
Div. 3 Miguel Magana Valencia, Appellant
S094843 Petition for review DENIED.

2nd Dist. CIGNA/ACE USA, Petitioner
B145438 v.
Div. 6 Workers' Compensation Appeals Board and Robert Martinez,
S094940 Respondents
Petition for review DENIED.

2nd Dist. Clennon Moore, Petitioner
B145918 v.
Div. 2 Workers' Compensation Appeals Board et al., Respondents
S094452 Petition for review DENIED.

3rd Dist. People, Respondent
C028318 v.
S094665 Christopher Henry Deragon, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C030659 v.
S095418 Erin Hollenbeck, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C031196 v.
S094818 Terrance James Burke, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C032054 v.
S095428 Terry Joe Burton, Appellant
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C033604 v.
S095279 Dwayne Anthony Sullivan, Appellant
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. C035552 S095403	People, Respondent v. Richard Dell Christie, Appellant Petition for review DENIED.
4th Dist. D032100 Div. 1 S095275	In re the Marriage of Barbara and Michael Papenthien ----- Barbara Falgoust, Appellant v. Michael Papenthien, Respondent Petition for review DENIED.
4th Dist. D033080 Div. 1 S094999	Paul Molnar, Appellant v. Regents of the University of California et al., Respondents Petition for review DENIED.
4th Dist. D033293 Div. 1 S094654	People, Respondent v. Janice Rodriguez, Appellant Petition for review DENIED.
4th Dist. D033651 Div. 1 S094663	People, Respondent v. Jose Jesus Maldonado et al., Appellants Petitions for review DENIED.
4th Dist. D033966 Div. 1 S095465	People, Respondent v. Bernard J. Engleman, Appellant Petition for review DENIED.
4th Dist. D034132 D035713 D035821 Div. 1 S094660	People, Respondent v. Mark Lee Williams, Appellant And Companion Cases Petition for review DENIED.

4th Dist. D034268 Div. 1 S095090	People, Respondent v. Michael Green, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. D034870 Div. 1 S095420	People, Respondent v. Arthur Lee Farmer, Appellant Petition for review DENIED.
4th Dist. D036412 Div. 1 S095349	People, Respondent v. Joseph Guzman-Arellano, Appellant Petition for review DENIED.
4th Dist. D034990 Div. 1 S095392	People, Respondent v. Ingracia Perez, Appellant Petition for review DENIED.
4th Dist. D035524 Div. 1 S095405	People, Respondent v. Deangelo Cooper, Appellant Petition for review DENIED.
4th Dist. D035736 Div. 1 S095479	In re Ingrid P., a Person Coming Under the Juvenile Court Law ----- San Diego County Health & Human Services Agency, Respondent v. Hector P., Appellant Petition for review DENIED.
4th Dist. D036408 Div. 1 S095409	Huy Anh Nguyen, Appellant v. Wildcat Protection, Inc., Respondent Petition for review DENIED.
4th Dist. D037296 Div. 1 S095452	Tahir Raja, Petitioner v. San Diego County Superior Court, Respondent Application for stay and petition for review DENIED.

4th Dist. Palm Valley Homeowners Association, Inc., Respondent
E025519 v.
Div. 2 Design MTC, Defendants
S094752 Edwards, Sooy & Byron, Objectors and Appellants
Petition for review DENIED.
The request for an order directing depublication of the opinion is
DENIED.

4th Dist. People, Respondent
E026020 v.
Div. 2 Kenneth Talhelm, Defendant-Petitioner
S094691 Petition for review DENIED.

4th Dist. People, Respondent
E026088 v.
Div. 2 Darrell Castleberry, Appellant
S095407 Petition for review DENIED.

4th Dist. People, Respondent
E026242 v.
Div. 2 David Eugene Crew, Appellant
S094693 Petition for review DENIED.

4th Dist. People, Respondent
E026327 v.
E026345 Anthony Coronado et al., Appellants
E026349 And Companion Cases
Div. 2 Petitions for review DENIED.
S095381 Mosk, J., is of the opinion review should be granted.

2nd Dist. Conservatorship of the Person and Estate of Meyer Fisher
E026617 -----
Div. 2 Claris Fisher, as Conservator, etc., Petitioner and Appellant
S095290 v.
Meyer Fisher, Objector and Respondent
Petition for review DENIED.

4th Dist. People, Respondent
E027227 v.
Div. 2 Michael Steven Ballesteros, Appellant
S095301 Petition for review DENIED.

4th Dist. E027495 Div. 2 S095287	People, Respondent v. Miguel Angel Avelandanez, Appellant Petition for review DENIED.
4th Dist. E027393 Div. 2 S095205	Ronald McDanel, Appellant v. Eastern Municipal Water District Board, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. E028345 Div. 2 S095332	People, Respondent v. Victor Valerio, Appellant Petition for review DENIED.
4th Dist. E028358 Div. 2 S095296	People, Respondent v. William Dale Lupear, Appellant Petition for review DENIED.
4th Dist. E028363 Div. 2 S095431	People, Respondent v. Shadi N. Fararji, Appellant Petition for review DENIED.
4th Dist. E028790 Div. 2 S095337	In re Anthony Wilson on Habeas Corpus Petition for review DENIED on the merits.
4th Dist. E028906 Div. 2 S095517	Patrick Eugene Black, Petitioner v. Riverside County Superior Court, Respondent People, Real Party in Interest Application for stay and petition for review DENIED.
4th Dist. G020621 Div. 3 S094851	Shawn Choate, Appellant v. County of Orange, Respondent Petition for review DENIED.

4th Dist. G024824 G024950 Div. 3 S094840	In re Martin Alan Hammond on Habeas Corpus ----- People, Respondent v. Alan Martin Hammond, Appellant Petition for review DENIED.
4th Dist. G025862 Div. 3 S095433	People, Respondent v. Khuong Huu Tran, Appellant Petition for review DENIED.
4th Dist. G027098 Div. 3 S095307	In re John V. et al., Persons Coming Under the Juvenile Court Law ----- Orange County Social Services Agency, Respondent v. Lisa V. et al., Appellants Petitions for review DENIED.
4th Dist. G027279 Div. 3 S095331	People, Respondent v. Randolph Lugo, Appellant Petition for review DENIED.
4th Dist. G028702 Div. 3 S095898	Troy Conrad Peterson, Petitioner v. Orange County Superior Court, Respondent People, Real Party in Interest Application for stay and petition for review DENIED.
5th Dist. F031860 S095317	People, Respondent v. Dennis Ray Scoggins, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
5th Dist. F032036 S095372	People, Respondent v. Kamsan Suon, Appellant Petition for review DENIED.

5th Dist. People, Respondent
F032712 v.
S094842 Malcolm Patrice Coleman, Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F033342 v.
S095435 Marla Jean Kokkinakis, Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F033799 v.
S095300 Delmar Falls, Appellant
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent
F033849 v.
S095248 Glenn Ray Unruh, Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F034091 v.
S095013 Ryan Dale Shuagis, Appellant
Petition for review DENIED.

5th Dist. In re Larry T., a Person Coming Under the Juvenile Court Law
F035836 -----
S095440 Kern County Department of Human Services, Respondent
v.
James C., Appellant
Petition for review DENIED.

5th Dist. The Charles McMurray Company et al., Petitioners
F036733 v.
S094887 Workers' Compensation Appeals Board et al., Respondents
Petition for review DENIED.

6th Dist. People, Respondent
H019695 v.
S095368 Arturo Enrique Solorio, Appellant
Petition for review DENIED.

6th Dist. H020067 S095303	People, Respondent v. Samuel Lee White, Appellant Petition for review DENIED.
6th Dist. H020227 S094820	People, Respondent v. Michael Ray Johnson, Appellant Petition for review DENIED.
6th Dist. H020348 S095410	People, Respondent v. Robert Steven Busby, Appellant Petition for review DENIED.
6th Dist. H021176 S094846	In re Michael Ray Johnson on Habeas Corpus Petition for review DENIED.
1st Dist. A087591 Div. 2 S094565	Adolphus Ray Morgan, Plaintiff and Appellant v. Regents of the University of California, Respondent On the recommendation of the Court of Appeal pursuant to rule 978 of the California Rules of Court, the Reporter of Decisions is directed to publish the opinion in the above-entitled appeal in the Official Reports. See rule 978(c), California Rules of Court.
1st Dist. A088725 Div. 4 S094854	Luis Saldana, Appellant v. Old Country Roofing, Respondent The request for an order directing publication of the opinion in the above-entitled appeal is denied.
2nd Dist. B129385 Div. 5 S092121	Ruby Morales et al., an Incompetent Person, etc., Respondents v. Bruce G. Fagel et al., Appellants The request for an order directing publication of the opinion in the above-entitled appeal is DENIED.

2nd Dist. In re Dereck G., a Person Coming Under the Juvenile Court Law
B140517 -----
Div. 4 Los Angeles County Dept. of Children & Family Svcs., Respondent
S094068 v.

Parketta G., Appellant

The request for an order directing publication of the opinion in the above-entitled appeal is DENIED.

2nd Dist. In re Pauletta B., a Person Coming Under the Juvenile Court Law
B141925 -----
Div. 7 Dept. of Children & Family Svcs., Los Angeles County, Respondent
S093871 v.

John B., Appellant

The request for an order directing publication of the opinion in the above-entitled appeal is DENIED.

S011636 People, Respondent
v.

James Nelson Blair, Appellant

Good cause appearing, the application of appointed lead counsel for permission to withdraw as attorney of record for appellant James Nelson Blair, filed March 5, 2001, is granted.

The order appointing Gregor D. Guy-Smith as counsel of record for appellant James Nelson Blair, filed July 3, 1991, is hereby vacated.

Pending further order of this court, associate counsel of record David A. Nickerson is hereby designated as lead attorney of record for appellant James Nelson Blair for the direct appeal and related state habeas corpus/executive clemency proceedings, in the above automatic appeal now pending in this court.

Gregor D. Guy-Smith is directed to deliver to David A. Nickerson, within 30 days from the filing of this order, the record on appeal in *People v. Blair* and all transcript notes, appellate and habeas corpus "issues" lists, and all other appellate work product and habeas corpus investigation work product, as well as all case related files and documents.

S011636 People, Respondent

v.

James Nelson Blair, Appellant

In conjunction with the order filed this day permitting Gregor D. Guy-Smith to withdraw as lead counsel of record for appellant James Nelson Blair for the direct appeal and related state habeas corpus/executive clemency proceedings in the above automatic appeal now pending in this court, Guy-Smith is ordered to reimburse this court the sum of \$3,000. (See Payment Guidelines for Appointed Counsel Representing Indigent Criminal Appellants in the Cal. Supreme Ct., guideline V, subpart B [“Court Action Upon Nonperformance of Work, and Reimbursement of Fees Upon Authorized Withdrawal of Appointed Counsel”].)

S013187 People, Respondent

v.

Randy Steven Kraft, Appellant

Good cause appearing, the application of appointed associate counsel for permission to withdraw as attorney of record for appellant Randy Steven Kraft, filed March 8, 2001, is granted.

The order appointing Elizabeth A. Barranco as associate counsel of record for appellant Randy Steven Kraft, filed January 29, 1993, is hereby vacated.

Richard Power shall remain as lead counsel of record for appellant Randy Steven Kraft on his direct appeal and related state habeas corpus/executive clemency proceedings.

Elizabeth A. Barranco is directed to deliver to Richard Power, within 30 days from the filing of this order, her copy of the record on appeal in *People v. Kraft* and all appellate and habeas corpus investigation work product. Ms. Barranco also is directed to deliver to Richard Power, within 30 days from the filing of this order, as appropriate, custody and/or control over all trial files, reports and related materials that she has obtained from appellant’s trial counsel, paralegals, experts and investigators.

S019708 People, Respondent

v.

James David Majors, Appellant

Good cause appearing, the application of appointed associate counsel for permission to withdraw as attorney of record for

appellant James David Majors, filed March 8, 2001, is granted.

The order appointing Elizabeth A. Barranco as associate counsel of record for appellant James David Majors, filed December 30, 1993, is hereby vacated.

Richard Power shall remain as lead counsel of record for appellant James David Majors on his direct appeal and related state habeas corpus/executive clemency proceedings.

Elizabeth A. Barranco is directed to deliver to Richard Power, within 30 days from the filing of this order, her copy of the record on appeal in *People v. Majors* and all appellate and habeas corpus investigation work product. Ms. Barranco also is directed to deliver to Richard Power, within 30 days from the filing of this order, as appropriate, custody and/or control over all trial files, reports and related materials that she has obtained from appellant's trial counsel, paralegals, experts and investigators.

S089463 In re Dennis Harold Lawley
 on
 Habeas Corpus

In response to the "Request for Disclosure of Records (Penal Code § 987.9)," filed in this court by the Attorney General on November 17, 2000, defendant Dennis Harold Lawley is directed to inform this court, no later than 30 days from the date of this order, whether any of the records, or portions thereof, sealed by the trial court pursuant to Penal Code section 987.9, are subject to redaction before being revealed to the Attorney General. (See Pen. Code, § 987.9, subd. (d) ["the funding records, or relevant portions thereof, shall be provided to the Attorney General at the Attorney General's request"].)

S093656 In re **Edward R. Danoff**, on Discipline
 Petition for writ of review denied.

It is ordered that **Edward R. Danoff**, State Bar No. 81771, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that Danoff be placed on probation for two years subject to the conditions of probation, including sixty days actual suspension, recommended by the Review Department of the State Bar Court in its opinion filed on October 6, 2000. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S094703 In re **Lucien Richard Musso** on Discipline

It is ordered that **Lucien Richard Musso, State Bar No. 73726**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for two years and until he makes restitution to Gloria and Patrick Caetano in the amount of \$9900 plus 10% interest per annum from May 18, 1999; to Shirley Gouaux and Betty McManus in the amount of \$40,000 plus 12% interest per annum from June 18, 1998; to Mary Torres in the amount of \$2500 plus 10% interest per annum from April 1, 1999, (or the Client Security Fund, if appropriate) and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed on November 22, 2000; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California; and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for termination of his actual suspension. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

